

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER JAMES WALKER, on behalf of himself and all others similarly situated, Plaintiff, v. HIGHMARK BCBSD HEALTH OPTIONS INC. Defendant.	CIVIL ACTION Case No. 2:20-cv-01975-CCW
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**JOINT MOTION TO EXTEND TIME TO FILE
ADR STIPULATION AND TO COMPLETE ADR SESSION**

AND NOW COMES Plaintiff Christopher James Walker and Defendant Highmark BCBSD Health Options Inc., by and through undersigned counsel, to move this Honorable Court for an Order extending the time to file an ADR stipulation and to complete their ADR session. In support thereof, the Parties state the following:

1. This case arises out of a Telephone Consumer Protection Act claim, in which Plaintiff alleges that Defendant placed automated telephone calls to his cellular phone without his consent. *See* ECF 1.
2. On June 21, 2021, the Parties filed a Joint Rule 26(f) Report that included an ADR Stipulation agreeing to private mediation “when each believes they have sufficient information to have a meaningful and productive settlement discussion.” *See* ECF 34.
3. On June 25, 2021, this Court entered a Case Management Order establishing the deadline for the Parties to file an ADR Stipulation by October 8, 2021. *See* ECF 36.

4. The Case Management Order also established the deadline for the Parties to complete their ADR session by December 6, 2021. *See* ECF 36.

5. On August 16, 2021, this Court entered a Discovery Order establishing the deadline for Defendant to serve documents in response to Plaintiff's first set of document requests by October 15, 2021. *See* ECF 41.

6. The Discovery Order also provided that, by October 22, 2021, the Parties may file a joint motion to extend the first phase of discovery once the first set of production "is complete and the parties have a more concrete understanding of the volume of additional discovery needed and the pace at which that discovery can be accomplished[.]" *See* ECF 41.

7. On October 6, 2021, counsel for the Parties conferred and agreed to conduct mediation but to postpone the mediation until after the completion of the first phase of discovery, at which time the parties will have a better understanding as to possible resolution and settlement terms.

8. The Parties have also researched potential mediators for the ADR session and have found that availability is limited for the next 2-3 months, with some delay likely due to the pandemic.

9. The Parties respectfully submit that more time is required to schedule a mediator and that the ADR session will be more productive after the Parties have a better understanding of the facts following completion of discovery.

10. The Parties should be in good position to mediate the case no later than ninety (90) days after completion of the first phase of discovery.

WHEREFORE, the Parties respectfully request that this Court enter an order extending the deadline to file an ADR Stipulation to thirty (30) days after the completion of the first phase of

discovery, and further request that this Court enter an order extending the deadline to complete mediation to ninety (90) days after the completion of the first phase of discovery.

Dated: October 7, 2021

Respectfully submitted,

/s/ James M. Pietz

/s/ Jason E. Hazlewood

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